

**Testimony before the Lantos Human Rights Commission
House Foreign Affairs Committee
Syria's Humanitarian Crisis: What More Can We Do?**

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Mr. Chairman, Members of the Commission, thank you for organizing this hearing to address the ongoing humanitarian crisis in Syria. This discussion is a reminder of the international community's collective failure to prevent mass atrocities, protect civilians, and bring the conflict in Syria to an end.

I speak to you today as the deputy director of the Simon-Skjodt Center for the Prevention of Genocide, at the U.S. Holocaust Memorial Museum. At the core of the Center's mission is the belief that timely global action by policymakers, advocates, and concerned citizens can prevent mass atrocities and catalyze an international response when they occur. As an institution devoted to the memory of the Holocaust, we understand all too well the consequences of inaction in the face of mass atrocities. The U.S. Congress and, in particular, this Commission have an essential role to play in fulfilling our collective responsibility to prevent--and in the case of Syria respond to--mass atrocity crimes.

In the five and a half years since the conflict in Syria began, more than 400,000 people have been killed. The government of Bashar al-Assad, the main though not the only perpetrator of violence against Syrian civilians, is responsible for committing crimes against humanity and war crimes. As I speak, thousands of Syrians face daily torture in the country's notorious prisons and detention centers. In cities and towns from Daraya to Aleppo, the Syrian government is preventing communities from accessing food, water, and medical treatment, causing conditions of mass hunger, malnourishment, and preventable disease. And despite the recent ceasefire, civilians are again being killed by indiscriminate government air strikes.

As the Assad regime and its allies continue their targeting of civilian populations with impunity, three fundamental principles must remain at the heart of any policy discussion:

- One: Protecting civilian populations must be a primary priority of any Syria policy discussion, not subservient to other near-term political interests nor longer-term strategic interests. Inaction in response to the targeting of civilians will only increase the current death toll, undermine any durable resolution of the conflict, and further threaten the security of the region and our own national security.
- Two: US policy must simultaneously strive to bring the conflict to a durable conclusion and protect civilians from ongoing mass atrocities.
- Three: The persistence of mass atrocities in Syria reinforces the importance of early preventive action in response to risks of mass atrocities. Effective prevention requires that U.S. policymakers plan for all plausible scenarios that may lead to the escalation of mass atrocities, including the potential for genocide. The failure to act early contributes to a narrowing of policy options and increases the political, material, and human cost of later action.

The Case for Civilian Protection

Protecting civilians under threat of these atrocities must be a primary priority of international engagement on Syria, for two main reasons:

- **First and foremost**, *mass atrocities against Syrian civilians have devastated the Syrian people*. We cannot say that we did not know the crimes that have occurred in Syria or their grave humanitarian consequences. Not since the Holocaust have mass atrocities and their effects been as well-documented, from the photographs of the Syrian torture regime that Caesar, a former military photographer, brought before the House Foreign Affairs Committee in July 2014, to the images of Syrian refugees that have appeared on front pages worldwide during the last year and a half.
- **Second**, *continuing mass atrocities in Syria pose a serious threat to U.S. strategic interests*. In addition to its humanitarian consequences, the conflict in Syria has challenged our allies, emboldened our adversaries, and created a haven for actors like the self-proclaimed Islamic State that threaten our security. The continuing deliberate attacks on civilian populations makes resolution of the conflict much more difficult, prompts higher levels of displacement, and increases the risk of retaliatory spirals of violence in the years ahead. As President Obama stated in Presidential Study Directive-10, “preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.”

There are no ‘easy’ options to address the crisis in Syria today. But that is true in all situations where mass atrocities occur. We cannot let a lack of imagination or lack of a serious assessment of all options contribute to the commission of continued mass atrocities. All options must be closely considered, and the evaluation of their potential efficacy an ongoing process. As conditions on the ground change, opportunities may emerge, or close, for the use of certain strategies by the United States, other governments, and local actors. But as we rightfully debate the perceived costs and risks of taking more aggressive actions to protect civilians, we must weigh those against the well understood costs of inaction or insufficient action: the loss of hundreds of thousands more innocent civilians and a destruction of the civilian infrastructure of the country that is so complete that the millions already displaced will have no hope of ever returning to their homes.

Considerations for Civilian Protection in Syria

Protecting civilians will not be easy, and the gains will be incremental. But the alternative is simply unacceptable. The devastation of the Syrian people, the destruction of families, untold suffering that will affect generations to come. As our founder, Elie Weisel noted, “whoever kills, kills more than his victims.”

As long as the conflict continues, Syrians will face a threat of atrocities. Many have rightly observed that the surest way to do this is to bring the conflict to a durable conclusion. That could take years, if not decades, during that time Syrian civilians must be protected from atrocities. These two approaches--trying to end the conflict and trying to support and protect civilians while the war continues--are both critical and complement one another.

A comprehensive strategy involving, where applicable, a full range of coercive and non-coercive responses to protect civilian populations from mass atrocities must be considered, and must reinforce a common political strategy that reflects evolving threats against Syrian civilians. Vigorous diplomacy with the warring parties and other influential actors is absolutely necessary, even in times when the prospects of a negotiated solution appear slim. As others have noted, non-military approaches, if carried out in full, have the potential to provide important relief to civilians under threat of mass atrocities, they include: multilateral diplomacy, ceasefire agreements, and various means of civilian self-protection.

In addition, in past cases the United States government has used a variety of military actions to protect civilians, amongst these are no-fly zones, safe havens and humanitarian corridors used for example in Iraq and Bosnia. These strategies were used to limit the ability of perpetrators to target civilians for atrocities by impairing their ability to reach vulnerable communities. In the Syrian context, advocates have argued that these options would limit the Syrian government's use of airstrikes against civilian communities and humanitarian facilities, one of the main causes of civilian deaths and displacement in the Syrian conflict. Others have suggested that targeted strikes on Syrian military installations be used as punishment for non-compliance with negotiated ceasefires and other specific protection demands, for example to stop the use of indiscriminate aerial bombardment.

Our Center does not take a specific stance on which, if any of these actions should be taken in Syria. We feel that it is critical that all options receive due consideration. It is important that people are specific about the language they are using, what they hope to achieve through military action, and how these strategies will accomplish that goal. Atrocities are being perpetrated in a multitude of ways, by multiple actors, in different parts of the country and each tactic requires a specific strategy to address their commission in a particular locality. For example, strategies for stopping the widespread commission of torture may be very different than strategies to halt the deadly aerial bombardment of civilian population centers or the denial of life-saving humanitarian assistance.

None of these options, by themselves or in combination, is a panacea. Each of these options also carries significant second- and third-order effects that policymakers should be prepared to confront. For example, the Syrian government, backed by Iranian and Russian forces and Hezbollah fighters, has demonstrated its willingness to increase the scale of violence against civilians and rebel forces in response to perceived threats from Western governments. After Russia's full entry into the conflict in September 2015, there is good reason to believe this pattern of regime behavior will continue.

As Syria and countless past cases have shown, the resolve of those committing atrocities against civilians is often greater than the resolve of those who seek to protect them. This imbalance will persist alongside the conflict in Syria, as the stakes of the Syrian government's survival remain elevated. This challenge affects both coercive and non-coercive attempts to protect civilians from future violence. As perpetrators' tactics change, the international community is often not willing to re-calibrate its response to protect civilians from new threats on the ground.

The best way to address these dilemmas is to align any military action with a comprehensive political strategy for resolving the broader conflict. Success--that is, the

sustained protection of civilians under threat--requires continuous planning for all plausible consequences of military action. Each situation is unique and there should be an ongoing assessment of the merits of coercive and non-coercive protection options.

Underscoring the Case for Prevention

The risks associated with these military options reinforce the importance of investing in a broader agenda for preventing the types of atrocities that we have seen in Syria.

The international community's failure in Syria during the last five and a half years carries two important lessons for the prevention of future atrocities:

- First, a successful strategy to protect civilians requires that the U.S. government engage in early, preventive action, well before an atrocity unfolds. As the conflict in Syria has persisted, the challenge of preventing new atrocities by the Syrian government and others has grown ever-larger, the political and financial costs of pursuing these actions has grown and their potential efficacy has dwindled.
- Second, the successful prevention of mass atrocities requires that U.S. policymakers plan for all plausible scenarios that may lead to the escalation of mass atrocities. Much of the U.S. government's early response to the deterioration of the conflict in Syria appeared to rest on faulty assumptions about the likely actions and responses of the Syrian leadership. The situation on the ground can always get worse. Effective prevention requires that we plan better--and more often--for those worst case scenarios.

To our knowledge, there has been no systematic effort within the U.S. government to identify and learn from these and other lessons about its own Syria policy. We are engaged in our own research on this topic, but only an internal process can paint a complete picture of the analysis and decisions of U.S. officials during the last five and a half years. The atrocity prevention mechanisms that the President established and institutionalized in his recent Executive Order--in particular, the Atrocities Prevention Board--are well-poised to facilitate this process, with the full cooperation of all internal stakeholders.

H.R. 5732, the Caesar Syria Civilian Protection Act, includes limited provisions for assessing U.S. assistance programs in Syria. Going forward, the U.S. Congress can work to expand this request to include an evaluation of the broader U.S. policy process on Syria leading up to and since the onset of the crisis in March 2011.

These actions are an important prerequisite for effective policy planning under the next U.S. administration. The next administration needs to be prepared for the possibility that mass atrocities in Syria will continue and, in some scenarios, get worse. A successful U.S. strategy to protect Syrian civilians will require a concerted effort to plan for these scenarios, integrate all policy actions into a comprehensive political strategy, and, above all, mobilize the political will to see those actions through.

When I was last at the Syrian-Turkish border a young woman who had been a teacher in Syria said to me, "we believed in humanity more than we should have, we were naive." The Syrian people are desperate for a reprieve from the relentless atrocities perpetrated by the Assad regime. What little civilian protection exists is largely the result of the work of courageous Syrians like the doctors working for the Syrian-American Medical Society

Foundation. Today they are looking to the United States, and to Congress for help. They are looking to us to muster the political will and courage to take action to save lives. To restore their faith in humanity.